

SWISS COPYRIGHT LAW FOR EDUCATIONAL PURPOSES

POLICY STATEMENT

The purpose of this text is to have guidelines to refer to as far as the application of the copyright law in education in Switzerland is concerned.

COVERAGE

This law applies to all GIHE Swiss campuses, based on territoriality.

According to the Swiss copyright law ([Art.2 LDA](#)), the author is defined as the rights owner of the content. This law regulates copyright protection for authors of literary and artistic works, as well as performers, producers of sound and audio-visual media, as well as broadcasters. Therefore, you must obtain an authorization from the rights holder (author or publisher) to use protected works.

However, there are exceptions to this law. For the following uses, permission of the author or the beneficial owner is not required ([Art.19 LDA](#)):

- Any personal use in private (relatives and friends)
- Any use of content for teaching purposes
- Any reproduction of works in a work environment for internal information or documentation

AUDIENCE AND COMPLIANCE

All staff members and students must be aware of this text.

ROLES AND RESPONSIBILITIES

Faculty, Instructors and Staff members: have the responsibility to make sure that all the contents are made available to students in accordance with the Swiss copyright law. They are also responsible for informing the students about the restrictions of the use and re-use of protected works outside the class.

Librarians: offer support to anyone who needs more information on how to comply to this text.

Students: are responsible for not re-using teaching materials shared on Moodle outside the class.

In case of non-compliance with the copyright law, the person at fault incurs civil and criminal penalties.

PROCEDURES

Provided that the works are used on the Swiss territory, please refer to the below table as far as to what is or isn't permitted:

Approval date:
Valid from:
Valid to:

May 2018
May 2018
May 2021

Validation by: Interim Policy Commission / Student Experience Committee
Document owner: Library

Faculty and Instructors	
Permitted (for teaching purposes only)	Not permitted
Copy or scan parts of a protected work, but not more than half it (e.g. if a book has 10 chapters, it is ok to scan 4)	Copy or scan more than half of a protected work (e.g. If a book has only 2 chapters, it is not ok to copy or scan even 1 chapter)
Copy or scan an entire work only if it is no longer available on the market (e.g. out of print books)	Copy or scan and share the full text of a protected work (book or DVD) which is still available on the market.
Copy or scan an entire work only if the author has been dead for over 70 years	
Copy or scan excerpts or illustrations from books, newspapers, magazine and works of fine art, such as paintings or drawings	
Use sound and show audio-visual media (CD and DVD) available on the market and copy extracts of them	Copy in its entirety sound and audio-visual media (CD and DVD), even if it is for teaching purposes.
Fully copy and broadcast a radio or TV show (even on an intranet)	Broadcast a movie during an extra-curricular activity requires an authorization from the Société Suisse des Auteurs (SSA) in Lausanne for Switzerland. A fee may apply.
Share a link of a Youtube video on Moodle	Embed an entire Youtube video on Moodle
Share documents (articles or parts of a book) on Moodle only if the access is restricted to students and faculty and instructors enrolled in the specific course or protected by a personal access key.	Students are not allowed to re-use works (articles or part of a book) made available on Moodle outside the specific course. Faculty/Instructors have the responsibility to inform the students accordingly.
Share their own course materials on Moodle which include parts of a textbook on the school's intranet, provided that the access is protected by a password reserved to students and faculty/instructors enrolled in the class.	
Include excerpts of works of another author, as well as quotations in the course materials created by the faculty/instructor, as long as they are all listed as such (complete citation in APA style).	
Store protected works on Dropbox or Google Drive	Store students' works on the Internet, unless authorized by the author or their legal representative.
Have protected musical performances done by staff or students, or play protected musical works during an extra-curricular activity (e.g. Talent show, Party events...)	Put on a play is not allowed as performance rights need to be obtained from to a copyright company such as the SSA for Switzerland. A fee may apply.

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Students	
Permitted (for learning purposes only)	Not permitted
	Students are not allowed to re-use works (articles or part of a book) made available on Moodle outside the specific course.
Copy or scan parts of a protected work, but not more than half it (e.g. if a book has 10 chapters, it is ok to scan 4)	Copy or scan more than half of a protected work (e.g. If a book has only 2 chapters, it is not ok to copy or scan even 1 chapter)
Copy or scan an entire work only if it is no longer available on the market (e.g. out of print books)	Copy or scan and share the full text of a protected work (book or DVD) which is still available on the market.
Copy or scan an entire work only if the author has been dead for over 70 years	
Copy or scan excerpts or illustrations from books, newspapers, magazine and works of fine art, such as paintings or drawings	

Librarians	
Permitted	Not permitted
Lend CDs and DVDs as long as the rental is free.	Lend software, as only producers or authorized retailers have the right to sell licensing agreements.
Fully copy CDs or DVDs, but only the same number held in the library collection (e.g. if we own 2 copies of a DVD, we can do up to 2 copies of it)	Copy software, as only producers or authorized retailers have the right to sell licensing agreements.
Lend copies of CDs and DVDs, as long as the rental is free.	
Record and add to the library collection and lend radio and television show in their entirety as long as the rental is free.	

RELATED DOCUMENTATION

Full text of the Swiss copyright law is available in English, French, German and Italian :
<https://www.admin.ch/opc/en/classified-compilation/19920251/>

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